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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,125	10/21/2003	Hitan S. Kamdar	GP-304074 (2760/137)	3644
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General Motors Corporation Mail Code 482-C23-B21 300 Renaissance Center P.O. Box 300 Detroit, MI 48265-3000				
		EXAMINER HAMZA, FARUK		
		ART UNIT 2155		
		MAIL DATE 06/01/2007		
		DELIVERY MODE PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/690,125	Applicant(s) KAMDAR ET AL.	
	Examiner Faruk Hamza	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                            |                                                                                         |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                           | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

***Response to Amendment***

1. This action is responsive to the amendment filed on April 18, 2007. Claims 1,7,8,14,15 and 21 have been amended. Claims 1-21 are pending.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1,8 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the vehicle" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the content" in line 7. There is insufficient antecedent basis for this limitation in the claim.

Claim 8 recites the limitation "the vehicle" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 8 recites the limitation "the content" in line 9. There is insufficient antecedent basis for this limitation in the claim.

Claim 15 recites the limitation "the content" in line 9. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors

Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Bastian et al. (U.S. Patent Number 6,757,712) hereinafter referred as Bastian.

Bastian teaches the invention as claimed including a system for permitting passengers on board an aircraft to send and receive electronic data is desired (abstract).

As to claim 1, Bastian teaches a method for accessing an email attachment from a mobile vehicle, the method comprising:

receiving an email attachment from a remote server at a vehicle telematics unit (Column 4, lines 56-63, Column 5, lines 24-38, Column 6, lines 18-31, Lazaridis discloses receiving email attachment);

determining at the vehicle a classification of the email attachment (Column 14, lines 19-51, Bastian discloses classification of email attachment at the vehicle); and

routing the email attachment within the vehicle based on the classification such that the email attachment is provided to a vehicle communication unit enabled to present the content of the email attachment (Column 14, lines 19-51, Bastian discloses routing email attachment).

As to claim 2, Bastian teaches the method of claim 1 further comprising receiving a notification signal at the telematics unit, and setting an internal software flag responsive to the notification signal (Column 6, lines 18-31).

As to claim 3, Bastian teaches the method of claim 2 wherein the internal software flag triggers receiving the email attachment at the mobile vehicle telematics unit (Column 6, lines 18-31).

As to claim 6, Bastian teaches the method of claim 1 wherein the email attachment is temporarily stored in a random access memory within the telematics unit (Column 14, lines 65-Column 15, lines 23).

As to claim 7, Bastian teaches the method of claim 6 further comprising deleting the email attachment from the random access memory within the telematics unit after the email attachment has been routed to one of a plurality of vehicle communication units (Column 14, lines 65-Column 15, lines 23).

Claims 8-10,13-17,20 and 21 do not teach or define any new limitations other than above claims 1-3 and 6-7. Therefore rejected for similar reasons.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4,5,11,12,18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bastian as applied above, and further in view of Lazaridis et al. (U.S. Patent Number 6,219,694) hereinafter referred as Lazaridis.

Bastian teaches the invention substantially as claimed including a system for permitting passengers on board an aircraft to send and receive electronic data is desired (abstract).

As to claim 4, Bastian teaches the method of claim 1

Bastian does not explicitly teach claim limitation of determining whether the file is an audio-only file and routing the attachment to one of a audio unit or display screen based on the determination.

However, Lazaridis teaches claim limitation of determining whether the file is an audio-only file and routing the attachment to one of a audio unit or display screen based on the determination (Column 6, lines 7-30).

It would have been obvious to one of the ordinary skill in the art at the time of invention to modify Bastian by adding functionality for determining whether the file is an audio-only file and routing the attachment to one of a audio unit or display screen based on the determination, which would provide more effective and accurate delivery of data from host system to users terminal. One would be motivated to enhance system's efficiency.

Claims 5,11,12,18 and 19 do not teach or define any new limitations other than above claim 4. Therefore rejected for similar reasons.

5. **Examiner's Note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention, as well as the context.

***Response to Arguments***

6. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be



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calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faruk Hamza whose telephone number is 571-272-7969. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll -free).

Faruk Hamza

Patent Examiner

Group Art Unite 2155

  
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SUPERVISORY PATENT EXAMINER